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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK
O.A.NO.260/00486 of 2015

Cuttack this the 4th day of August, 2015

CORAM
HON'BLE SHRI R.C.MISRA, MEMBER(A)

Pravabati Deo
Aged about 74 years
W/o. late Mukunda Chandra Deo
At/PO-Karanjia
Dist-Mayurbhanj

...Applicant

By the Advocate(s)-M/s.R.N.Parija
S.Behera

-VERSUS-

Union of India represented through

1. The Secretary
Ministry of Steel
Udyog Bhawan
New Delhi-110 011
2. Steel Authority of India Ltd.(SAIL)
Represented through its Chairman
Ispat Bhawan
Lodi Road
New Delhi-110 003
3. The General Manager
Personnel & Administrative Department
Steel Authority of India Ltd.
Rourkela Steel Plant
Rourkela-769 011
Sundargarh
Odisha
4. Manjulata Deo
W/o. late Kishore Kumar Deo
At/Po-Karanjia
Dist-Mayurbhanj



...Respondents

By the Advocate(s)-

ORDER

R.C.MISRA, MEMBER(A):

Heard Mr.R.N.Parija, learned counsel for the applicant.

Rumar
Applicant is the widow mother of the deceased employee one Kishore Chandra Deo. By filing this O.A., applicant has alleged that the Respondents are making arrangements to disburse the entire death benefits and emoluments of her deceased son in favour of the private respondent no.4 who is the widow of the deceased employee. Mr.Parija submitted that the mother is one of the legal heirs of the deceased son and only the widow wife cannot claim the entire death benefits of the deceased employee. In spite of the fact that the applicant made representations for disbursal of the death benefits as per rules, the respondents, without disposing of the representations are making arrangement for disbursement ^{of R} the said benefits to the private respondent no.4. In this regard applicant has made two representations, one on 20.4.2015 and another on 8.6.2015 to the General Manager (Personnel & Administrative Department), in the SAIL, Rourkela Steel Plant, Rourkela. The said General manager has been impleaded as Respondent No.3 in this O.A.

2. I have considered the submissions made by Mr.Parija. I find that the representations are still pending for disposal with the Respondent No.3. It

Rumar

is also brought to my notice that the Tahasildar, Karanjia has issued a legal heir certificate in respect of the deceased employee in which wife, mother, who is the applicant herein and also the brother are mentioned as legal heirs of the deceased employee. This legal heir certificate has been issued on 5.6.2015. It goes without saying that disbursement of the death benefits of the deceased employee should be as per rules which are prevalent in the respondent-organization. Therefore, the respondents are directed to take a view in this matter in accordance with the extant rules and dispose of the same. At this stage, I find that two representations are still pending for being disposed of. In the facts² and circumstances of the case, without expressing any opinion on the merit of the matter, I direct respondent no.3 to consider the pending representations of the applicant as mentioned above in accordance with the rules in force and communicate the decision thereon to the applicant through a reasoned and speaking order within a period of sixty days from the date of receipt of this order. If as per rules, applicant is entitled to ²the some part of the death benefits and emoluments of the deceased employee, the same shall be disbursed in her favour within a period of another sixty days from the date of passing of the orders on the representations. It is made clear that until the representations, as directed above are disposed of and decision communicated to the applicant, death benefits and the emoluments shall not be disbursed.

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3. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

Send copy of this order along with paper book to Respondent No.3 at the cost of the applicant, for which Mr.Parija undertakes to file the postal requisites by 5.8.2015. Free copy of this order be made over to learned counsel for both the sides.


(R.C.MSRA)
MEMBER(A)

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